

No. 67704

**AMENDED
APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office JUN 25 2001
 Returned to applicant for correction JUL 23 2001
 Corrected application filed SEP 20 2001
 Map filed SEP 20 2001

The applicant **Nevada Land & Resource Company, LLC** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **underground**
 2. The amount of water applied for is **10 cfs** second-feet
 - (a) If stored in reservoir give number of acre-feet
 3. The water to be used for **irrigation and domestic**
 4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **2,200 acres**
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
 5. The water is to be diverted from its source at the following point **within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T.33N., R.42E., MDB&M or at a point from which the NE corner of said Section 33 bears N 45° 09' E 942.0 feet**
 6. Place of Use **Sections 21, 29, 31, and 33 of T.33N., R.42E., MDB&M—2,200 acres±**
 7. Use will begin about **January 1** and end about **December 31** of each year.
 8. Description of proposed works **drilled well and irrigation system**
 9. Estimated cost of works **\$60,000±**
 10. Estimated time required to construct works **3 years**
 11. Estimated time required to complete the application of water to beneficial use **5 years**
 12. Remarks:

**Desert Mountain Surveying as agent
 By John H. Milton III, PLS, SWRS
 By s/John H. Milton III
 146 West Second Street
 Winnemucca, NV 89445**
- Compared my/cmf lb/sam
- Protested 11/15/01 by Western Exploration, Inc.;

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water granted herein at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 67704 and 68153 shall not exceed 2560 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.4 cubic feet per second, but not to exceed 1280 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 25, 2005

Proof of completion of work shall be filed on or before:

April 25, 2005

Water must be placed to beneficial use on or before:

March 25, 2008

Proof of the application of water to beneficial use shall be filed on or before:

April 25, 2008

Map in support of proof of beneficial use shall be filed on or before:

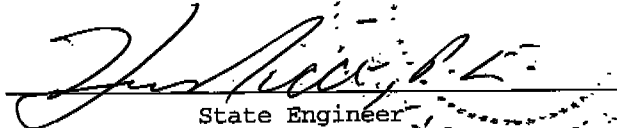
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 25th day of March, A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

Abrogated By: 71715 5.4

